

MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, June 27, 2006

Tuesday, 9:44 A.M.

The City Council met in regular session with Mayor Mayans in the Chair. Council Members Brewer, Fearey, Gray, Martz, Schlapp, Skelton; present.

George Kolb, City Manager; Gary Rebenstorf, Director of Law; Karen Sublett, City Clerk; present.

The Minutes of the June 20, 2006 meeting were approved 7 to 0.

CONSENT AGENDA

Motion--  
--carried

Mayans moved that Consent items 1-10k be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

**BOARD OF BIDS****REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED JUNE 26, 2006.**

Bids were opened June 23, 2006, pursuant to advertisements published on  
PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION: Sewers, Paving and Water Mains as per specifications:

Construction of Left Turn Lanes on Maize Road at Westport (87N-308-01/472-84244/706924/205390) Two-way traffic shall be maintained during construction. (District V)

Cornejo and Sons Construction - \$279,550.05

Wichita Waterwalk Public Improvements Phase 2 Package 2 Downtown Arena SWD Outfall Phase 1 and Southeast 48 Inch Waterline Phase 1A (472-84135/ 792424/635674/622102/ 633773/751422/ 435352/765171/675126/755194/485313) Access to be maintained to area businesses. (District I)

WB Carter Construction - \$4,125,781.00 (Base bid)  
50,850.00 (Add Alternate)  
\$4,176,631.00 (Total bid)

2006 Sanitary Sewer Reconstruction, Phase 2 - north of MacArthur, east of Seneca. (468-84194/620455/666574) Traffic to be maintained during construction using flagpersons and barricades. (District s I, IV)

WB Carter Construction - \$31,300.00

PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION: Sewers, Paving and Water Mains as per specifications:

Motion--  
--carried

Mayans moved that the contracts be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

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PUBLIC WORKS DEPARTMENT/BUILDING DIVISION: Demolition & Site Clearance Services.

Cornejo and Sons Inc.\* - \$39,990.00 (Total Bid)

\*Absolute Demolition LLC – Awarded Secondary Contract Vendor

Motion--  
--carried

Mayans moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

## CMBS

### APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

<u>Renewal</u>	<u>2006</u>	<u>(Consumption off Premises)</u>
Rick W. Brazile	Wal-Mart Supercenter #1507	3030 North Rock Road
<u>New Operator</u>	<u>2006</u>	<u>(Consumption on Premises)</u>
Gerardo Guzman	La Posada Inc.*	<u>552 South Oliver</u>

\*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion--  
--carried

Mayans moved that the licenses be approved subject to Staff review and approval. Motion carried 7 to 0.

## PRELIM. ESTS.

### PRELIMINARY ESTIMATES:

- a) Schweiter Park Tennis and Basketball Court Construction - west of Hillside, south of Kellogg. (472-84420/785056/395188) Does not affect existing traffic. (District I) - \$280,000
- b) Water Distribution System to serve Hoover Road & 21st Street North - north of 21st Street North, east of Zoo Boulevard. (448-89674/735067/470737) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$1,100,000
- c) Water Distribution System to serve Emerald Bay Addition - west of West Street, north of 21st Street North. (448-90161/735301/470972) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$646,000
- d) Water Distribution System, Phase 1 to serve Emerald Bay Addition - west of West Street, north of 21st Street North. (448-90162/735302/470973) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$200,000
- e) Storm Water Drain #269 to serve Clifton Cove Addition - south of 63rd Street South, west of Clifton. (468-84024/751421/485312) Does not affect existing traffic. (District III) - \$659,000
- f) Water Distribution System to serve Highland Springs 3rd Addition - south of Central, west of 135th Street West. (448-89829/735319/470990) Does not affect existing traffic. (District V) - \$93,000
- g) Nevada Circle to serve Blue Sky Addition - north of Douglas, west of West Street. (472-84363/ 765987 /490104) Does not affect existing traffic. (District IV) - \$92,880
- h) Cost of construction of Water Distribution System to serve Fox Ridge Addition - north of 29th Street North, east of Maize. (448-90023/735275/470-946) (District V) – Total Estimated Cost \$100,320

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- i) Cost of construction of Storm Water Drain #262 to serve Fox Ridge Addition - north of 29th Street North, west of Tyler. (468-83996/751398/485-289) (District V) – Total Estimated Cost \$167,310
- j) The cost of construction of Water Distribution System to serve Regency Park 3rd Addition - south of 29th Street North, west of Greenwich. . (District II) (448-90089/735265/470-936) – Total Estimated Cost \$25,900

Motion--carried

Mayans moved that the file be received. Motion carried 7 to 0.

## DEEDS/ESMNTS

### DEEDS AND EASEMENTS:

- a) Drainage and Utility Easement dated May 4th, 2006 from Ritchie Development Corporation over a tract of land lying over portions of Lots 14, 15, 17, 20, and 22, Block 2, Reed's Cove Addition, an addition to Wichita, Kansas, (OCA# 607861). D-17859
- b) Utility Easement dated April 27th, 2006 from Twenty First Growth LLC, a Kansas limited liability company over tracts of land lying over a portion of Reserve "K", Hawthorne Third Addition, an addition to Wichita, Sedgwick County, Kansas and over a portion of Lot 8, Block 3, Hawthorne Third Addition, an addition to Wichita, Sedgwick County, Kansas (OCA# 607861). D-17860
- c) Utility Easement dated May 22nd, 2006 from Friends University AKA The Friends University over a tract of land lying over portions of Lots 28, 30, 32, 34, 36, 38, 40, and 42 on Glenn Street as platted in University Place Addition to Wichita, Kansas, (OCA# 607861). D-17861
- d) Sanitary Sewer Easement dated April 24th, 2006 from Seldin Development & Management Company over a tract of land lying over a portion of Lot 1, East Turnpike Entrance Addition, Wichita, Kansas, and (OCA # 624080). D-17862

Motion--carried

Mayans moved that the documents be accepted. Motion carried 7 to 0.

## PETITION

### PETITION: CONSTRUCT PAVING, SANITARY SEWER AND WATER IMPROVEMENTS IN SIERRA HILLS ADDITION, EAST OF 127TH STREET EAST, NORTH OF PAWNEE. (DISTRICT II)

Agenda Report No. 06-0683

The Petitions have been signed by one owner representing 100% of the improvement districts.

The projects will provide paving, sanitary sewer and water improvements within a residential development located east of 127th St. East, north of Pawnee.

The Petitions total \$633,000. The funding source is special assessments.

These projects address the Ensure Efficient Infrastructure goal by providing for the construction of paving, sanitary sewer and water improvements in a new subdivision. They also address the Economic Vitality and Affordable Living goal by providing public improvements in new developments that are vital to Wichita's continued economic growth.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or by owners of the majority of property in the improvement district.

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Motion--  
--carried

Mayans moved that the Petitions be approved; the Resolutions adopted and the necessary signatures authorized. Motion carried 7 to 0.

## RESOLUTION NO. 06-371

Resolution of findings of advisability and resolution authorizing construction of Water Distribution System Number 448-90203, (east of 127<sup>th</sup> Street East, north of Pawnee) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

## RESOLUTION NO. 06-372

Resolution of findings of advisability and resolution authorizing construction of :Lateral 344. Four Mile Creek Sewer (east of 127<sup>th</sup> Street East, north of Pawnee) 468-83584 in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

## RESOLUTION NO. 06-373

Resolution of findings of advisability and resolution authorizing constructing pavement on Mt. Vernon from the east line of the Sierra Hills addition to the west line of (Lot 18, Block 2) and to the north line of the Sierra Hills Addition; Triple Crown, From the south line of (Lot 13, Block 4); and Mt. Vernon Ct. to and inducing the Cul-de-sac (Lots 65 through 73, Block 5) and sidewalks to be constructed on one side of all through, non Cul-de-sac streets (east of 127<sup>th</sup> Street East, north of Pawnee) 472-84423 in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

## STREET CLOSURE

### CONSIDERATION OF STREET CLOSURES/USES.

Agenda Report No. 06-0684

In accordance with the Community Events Procedure, the event promoter is coordinating with Lawrence-Dumont Stadium and Exploration Place and making arrangements with Staff, subject to final approval by the City Council.

The following street closure request has been submitted:

#### **YWCA Sole Sisters 5K Run, Saturday July 15, 2006 7:00 am – 10:00 am**

§ Outer, northbound lane of McLean, Lincoln to Maple  
§ 500 block of Maple Street, McLean to Sycamore  
§ North bound lanes of McLean, Maple to Exploration Place.  
WPD Officers will be directing traffic at all affected intersections

Client will arrange to remove blockades as necessary to allow emergency vehicle access during entire designated time period. Blockades will be removed immediately upon completion of the event.

Inasmuch as possible, event sponsors are responsible for all costs associated with special events.

Enhance the Quality of Life

Motion--  
  
--carried

Mayans moved that the request be approved subject to: (1) Hiring off-duty certified law enforcement officers as required; (2) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department. (3) Certificate of Liability Insurance on file with the Community Events Coordinator. Motion carried 7 to 0.

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## **STREET CLOSURE      CONSIDERATION OF STREET CLOSURES/USES.**

Agenda Report No. 06-0685

In accordance with the Community Events Procedure, the event promoter is coordinating with Lawrence-Dumont Stadium and making arrangements with Staff, subject to final approval by the City Council.

The following street closure request has been submitted:

**Celebrate 2006 Lawrence-Dumont Stadium, July 4, 2006 9:00 am – 11:00 pm**  
§    McLean from Maple to Douglas.

Client will arrange to remove blockades as necessary to allow emergency vehicle access during entire designated time period. Blockades will be removed immediately upon completion of the event.

Inasmuch as possible, event sponsors are responsible for all costs associated with special events.

Enhance the Quality of Life

Motion--

Mayans moved that the request be approved subject to: (1) Hiring off-duty certified law enforcement officers as required; (2) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department. (3) Certificate of Liability Insurance on file with the Community Events Coordinator. Motion carried 7 to 0.

--carried

## **STREET CLOSURE      STREET CLOSURE-HYDRAULIC, SOUTH OF SOUTHEAST BOULEVARD.** **(DISTRICT III)**

Agenda Report No. 06-06-0686

The Burlington Northern Santa Fe Railroad (BNSF RR) is experiencing some railroad track and signal issues related to the present condition of the railroad crossing on Hydraulic, south of Southeast Blvd. They have delivered ties, rail, and other materials to the crossing area and have built new crossing panels. The railroad is requesting the closure of Hydraulic at the crossing area from approx. 8:00 am, Thursday, June 29th until approx. 5:00 pm Friday, June 30th. During the street closure the railroad will cut the rails and remove the existing concrete crossing material, rails and ties. Once the new crossing panels are installed the rails will be welded and the track section will be adjusted to grade at the crossing area. After some train movements have passed over the new crossing a final elevation adjustment will be made and the concrete crossing material will be installed. The railroad is requesting a two-day closure of this crossing area to minimize traffic and related construction safety concerns.

The BNSF Railroad is responsible for the placement of the required detour and construction signs and barricades and the notification of area businesses and residents. During the street closure traffic on Hydraulic will be detoured as follows:

Southbound Hydraulic traffic will be detoured southeast on Southeast Blvd. to Pawnee, then west to return to Hydraulic.

Northbound Hydraulic traffic will be detoured east on Pawnee to Southeast Blvd., then northwest to return to Hydraulic.

This project addresses the Efficient Infrastructure goal by improving traffic flow through a major traffic corridor.

Motion--carried

Mayans moved that the street closure be approved. Motion carried 7 to 0.

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## CLAIMS

### REPORT ON CLAIMS ALLOWED FOR MAY 2006:

<u>Name of Claimant</u>	<u>Amount</u>
Behrns, Christina	\$129.00
Crawford, Jim	\$808.43
Gilbert, Scott	\$100.00
Godetz, Beverly	\$241.43
Hodges, James	\$119.32
Jordan, Tosha	\$608.82
Ransom, Kendrall	\$4,500.00
Rodriguez, Kris	\$300.00
Stevenson, Brian	\$194.99
Wilson, Sally	\$ 86.73

Motion--carried Mayans moved that the file be received. Motion carried 7 to 0.

## EASEMENTS

### SIDEWALK AND GAS LINE EASEMENTS ACROSS CITY OWNED PROPERTY NEAR PAWNEE AND MCLEAN IN CONJUNCTION WITH THE IMPROVEMENT OF PAWNEE AVENUE. (DISTRICTS III AND VI)

Agenda Report No. 06-0687

The capital project to improve Pawnee from McLean to Broadway requires the relocation of the natural gas line currently located along the south side of the right-of-way of Pawnee. Due to space constraints, the line cannot be moved further south within the existing right-of-way. The most efficient option is to relocate the line in an easement that will extend more or less parallel to planned Pawnee Avenue improvements which will lay in the City owned property of Herman Hill Park. Similarly the existing sidewalk, which currently lies in Herman Hill Park, will also need to be relocated further south and adjacent to the new Pawnee Avenue alignment.

The new 20-foot sidewalk easement will allow the construction of a six-foot wide sidewalk that meets current grade standards for safety and ADA compliance. The easement area for the new gas line lies almost completely under the proposed sidewalk easement. Installation of the gas line will be by directional boring and will have no above ground protrusions. The sidewalk will continue west from Herman Hill Park and will widen to ten feet along Pawnee. Public Works staff and Kansas Gas Service Company have met several times with Park Staff to insure a sidewalk easement and gas line easements are respectful and protective of Herman Hill Park. On June 12th, the Park Board heard the request for the sidewalk easement; it was supported with the knowledge that the sidewalk will be widened to ten feet west of the Herman Hill easement, pending funding. The Park Board also expressed support for the Kansas Gas Service request for the needed gas line easement.

There is no cost to the City.

The acquisition of this parcel is necessary to ensure efficient infrastructure, maintaining and optimizing public facilities and assets.

The Law Department has approved the easement as to form.

Motion-- Mayans moved that the easement be approved and the necessary signatures authorized. Motion  
--carried carried 7 to 0.

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## ORDINANCES

### SECOND READING ORDINANCES: (FIRST READ JUNE 20, 2006).

- a) Amendments to Section 11.38.155 of the Code of the City of Wichita, Kansas, pertaining to Driving a Commercial Vehicle while Under the Influence of Alcohol and/or Drugs.

#### ORDINANCE NO. 47-053

An ordinance amending Section 11.38.155 of the Code of the City of Wichita, Kansas, pertaining to driving a commercial vehicle while under the influence of alcohol and/or drugs and the penalties therefore, and repealing the original of said Section, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

- b) Creation of New Section 11.92.070 of the Code of the City of Wichita, Kansas, pertaining to Prosecution of Juvenile Traffic Offenders in Municipal Court.

#### ORDINANCE NO. 47-054

An Ordinance creating new Section 11.92.070 of the Code of the city of Wichita, Kansas, pertaining to the prosecution of juvenile traffic offenders in the municipal court, authorized dispositions, and the definition of traffic offense, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

- c) Creation of New Section 4.04.017 and Amending Sections 4.04.025 and 4.16.130 of the Code of the City of Wichita, Kansas, pertaining to Minors Possessing, Consuming, Purchasing or Obtaining Alcoholic Beverages.

#### ORDINANCE NO. 47-055

An Ordinance creating new Section 4.04.017 of the Code of the City of Wichita, Kansas, pertaining to minors possessing, consuming, purchasing or obtaining alcoholic beverages, the penalty therefor, use of a preliminary breath test by law enforcement as evidence of violations, and amending Sections 4.04.025 and 4.16.130 of the City Code and repealing Section 4.12.025 of the City Code, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

- d) Amendments to Sections 4.16.135 and 4.16.155 of the Code of the City of Wichita, Kansas, pertaining to Exceptions to Removal of Open Bottles of Alcoholic Liquor from the Licensed Premises of a Club or Drinking Establishment.

#### ORDINANCE NO. 47-056

An Ordinance amending Sections 4.16.135 and 4.16.155 of the Code of the City of Wichita, Kansas, pertaining to exceptions to the prohibition against removal of open bottles of alcoholic liquor from the licensed premises of a club or drinking establishment and repealing the originals of said Sections, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

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- e) Creation of New Section 11.38.158 of the Code of the City of Wichita, Kansas, pertaining to Transporting an Open Container of Alcoholic Beverage.

## ORDINANCE NO. 47-057

An Ordinance creating new Section 11.38.158 pertaining to transporting an open container of alcoholic beverage and the penalty therefor, and repealing Sections 4.04.030 and 4.12.197 of the Code of the City of Wichita, Kansas, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

- f) Amendments to Section 5.16.010 of the Code of the City of Wichita, Kansas, pertaining to Desecrating a Cemetery or Burial Place.

## ORDINANCE NO. 47-058

An ordinance amending Section 5.16.010 of the Code of the City of Wichita, Kansas, pertaining to desecrating a cemetery or burial place, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

- g) Amendments to Section 6.04.035 of the Code of the City of Wichita, Kansas, pertaining to Cruelty to Animals.

## ORDINANCE NO. 47-059

An Ordinance amending Section 6.04.035 of the Code of the City of Wichita, Kansas, pertaining to cruelty to animals, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

- h) Amendments to Section 11.42.030 of the Code of the City of Wichita, Kansas, pertaining to Driving while License Suspended, Canceled or Revoked.

## ORDINANCE NO. 47-060

An Ordinance amending Section 11.42.030 driving while license suspended, canceled or revoked, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.



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i) WaterWalk Developer Agreement Amendments. (District I)

ORDINANCE NO. 47-061

1. An Ordinance of the City of Wichita, Kansas (the “City”), approving certain construction and approving and authorizing the execution of a Third Amendment to Development Agreement regarding development of the East Bank, by and between the City and Waterwalk, LLC, all pursuant to Charter Ordinance No. 177, read for the second time. Brewer moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 1. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans, (Nay-Martz).

ORDINANCE NO. 47-062

2. Ordinance of the City of Wichita, Kansas authorizing the issuance of its general obligation bonds to pay certain costs incurred in connection with the Waterwalk Redevelopment Project; and authorizing and providing for the issuance of temporary improvement notes of the city from time to time as funds are needed for such purpose, read for the second time. Brewer moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 1. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans, (Nay-Martz).

j) IRB Amendments & Partial Purchase Option – Learjet. (District V)

ORDINANCE NO. 47-063

An Ordinance of the City of Wichita, Kansas, prescribing the form and authorizing the execution of a Tenth Supplemental Trust Indenture by and between the Bank of New York Trust Company, N.A., St. Louis, Missouri, as trustee; prescribing the form and authorizing the execution of a Tenth Supplement Lease by and between the City and Learjet, Inc., in connection with the project financed with the city’s taxable Industrial Revenue Bonds, Series XII, 1996, Series XIX, 1997, Series XVI, 1998, Series IV, 1999, Series VIII, 2000, Series XV, 2001, Series VII, 2002, Series XII, 2003, Series VII, 2004 and Series IX, 2005 Learjet Inc.), read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

k) ZON2006-16-generally located at the southwest corner of Central and Garnett. (District II)

ORDINANCE NO. 47-064

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.  
(ZON2006-16)

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## PLANNING AGENDA

Motion--  
--carried

Mayans moved to approve Planning Consent items 11 and 12 in accordance with the recommended action shown thereon. Motion carried 7 to 0.

SUB2005-118

### SUB2005-118-PLAT OF BLACKSTONE ADDITION, LOCATED EAST OF 151ST STREET WEST AND ON THE NORTH SIDE OF 13TH STREET NORTH. (DISTRICT V)

Agenda Report No. 06-0688

Staff Recommendation: Approve the plat.  
MAPC Recommendation: Approve the plat. (12-0)

This site, consisting of 119 lots on 62.08 acres, was recently annexed into the City of Wichita. Upon annexation, the zoning of the property was converted to SF-5, Single-Family Residential District.

Petitions, 100%, and a Certificate of Petitions have been submitted for sewer, water, paving, left-turn lane and drainage improvements. As requested by City Engineering, a Cross-lot Drainage Agreement has been submitted. Restrictive Covenants were submitted to establish a lot owner's association to provide for the ownership and maintenance of the proposed reserves and to provide four off-street parking spaces per dwelling unit on each lot that abuts a 58-foot street.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days.

Ensure Efficient Infrastructure.

The Certificate of Petitions, Cross-lot Drainage Agreement and Restrictive Covenants will be recorded with the Register of Deeds.

Motion--  
--carried

Mayans moved that the documents and plat be approved; the necessary signatures authorized and the resolutions adopted. Motion carried 7 to 0.

#### RESOLUTION NO. 06-374

Resolution of findings of advisability and resolution authorizing construction of water distribution system number 448-90184 (east of 151<sup>st</sup> Street West, north of 13<sup>th</sup>) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

#### RESOLUTION NO. 06-375

Resolution of findings of advisability and resolution authorizing construction of water distribution system number 448-90185 (east of 151<sup>st</sup> Street West, north of 13<sup>th</sup>) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

#### RESOLUTION NO. 06-376

Resolution of findings of advisability and resolution authorizing construction of Water Distribution System Number 448-90186 (east of 151<sup>st</sup> Street West, north of 13<sup>th</sup> Street) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

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## RESOLUTION NO. 06-377

Resolution of findings of advisability and resolution authorizing construction of water distribution system number 448-90187 (east of 151<sup>st</sup> Street West, north of 13<sup>th</sup>) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

## RESOLUTION NO. 06-378

Resolution of findings of advisability and resolution authorizing construction of Lateral 7, Main 4, Northwest interceptor sewer, (east of 151<sup>st</sup> Street West, north of 13<sup>th</sup>) 468-84170 in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

## RESOLUTION NO. 06-379

Resolution of findings of advisability and resolution authorizing construction of Lateral 8, Main 4, Northwest Interceptor sewer, (east of 151<sup>st</sup> Street West, north of 13<sup>th</sup>) 468-84171 in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

## RESOLUTION NO. 06-380

Resolution of findings of advisability and resolution authorizing improving storm water drain No. 292 (east of 151<sup>st</sup> Street West, north of 13<sup>th</sup>) 468-84172 in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

## RESOLUTION NO. 06-381

Resolution of findings of advisability and resolution authorizing constructing pavement on Blackstone from the north line of 13<sup>th</sup> Street North, North to the South line of Lot 1, Block B; on Price from Obsidian to the west line of Blackstone; on Obsidian, and Obsidian Ct. from the north line of Lot 4, Block D, west to and including the Cul-de-sac; and on Price from the east line of Blackstone, east to the east line of the plat and on Blackstone Ct. (Lots 1 through 8, Block A) from the east line of Blackstone, east to and including the Cul-de-sac; and on Blackstone Ct. (Lots 1 through 14, Block C) from the west line of Blackstone, west to and including the Cul-de-sac and that sidewalk be constructed on Blackstone, Price and Obsidian ( east of 151<sup>st</sup> West, north of 13<sup>th</sup>) 472-84397 in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

## RESOLUTION NO 06-382

Resolution of findings of advisability and resolution authorizing constructing pavement on Blackstone from the south line of Lot 1, Block B, north to the south line of Lot 11, Block B; and on Obsidian from the north line of Lot 4, Block D, to the west line of Blackstone and that sidewalk be constructed on Blackstone and Obsidian (east of 151 Street West, north of 13<sup>th</sup>) 472-84398 in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

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## RESOLUTION NO. 06-383

Resolution of findings of advisability and resolution authorizing constructing pavement on Blackstone from the north Point of Lot 11, Block B, north to the north line of the plat and on Blackstone Ct. (Lots 11 through 18, Block B) from the east line of Blackstone, east to and including the Cul-de-sac; Blackstone Ct. (Lots 19 through 28, Block B) from the east line of Blackstone, east to and including the Cul-de-sac; Blackstone Ct. (Lots 29 through 37, Block B) from the east line of Blackstone, east to and including the Cul-de-sac; and on Blackstone Ct. (Lots 38 through 43, Block C) from the west line of Blackstone, west to and including the Cul-de-sac and that sidewalk be constructed on Blackstone (East of 151<sup>st</sup> Street West, North of 13<sup>th</sup>) 472-84399 in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

## RESOLUTION NO. 06-384

Resolution of findings of advisability and resolution authorizing constructing asphalt mat on 13<sup>th</sup> Street North from the east line of the plat to the west line of the plat (east of 151<sup>st</sup> Street West, north of 13<sup>th</sup>) 472-84400 in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

## RESOLUTION NO. 06-385

Resolution of findings of advisability and resolution authorizing constructing a left turn lane on 13<sup>th</sup> Street North to serve Blackstone Addition (east of 151<sup>st</sup> Street West, north of 13<sup>th</sup>) 472-84401 in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

## SUB2006-28

### **SUB2006-28-PLAT OF NEWMAN UNIVERSITY THIRD ADDITION, LOCATED SOUTH OF KELLOGG AND WEST OF MERIDIAN. (DISTRICT IV)**

Agenda Report No. 06-0689

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (10-0)

This site, consisting of one lot on 2.67 acres, is located within Wichita's city limits. The site is zoned B, Multi-Family Residential District.

Municipal services are available to serve the site.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days.

Ensure efficient infrastructure.

Motion--  
--carried

Mayans moved that the plat be approved and the necessary signatures authorized. Motion carried 7 to 0.

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## RECESS

Motion-- Mayans moved that the City Council recess at 12:15 p.m. into Executive Session to consider:  
--carried consultation in the attorney-client relationship relating to: legal advice and confidential data relating to the financial affairs or trade secrets of a business. Motion carried 5 to 0, (Martz and Skelton absent)

## RECONVENE

The Council reconvened in the First Floor Board Room at 12:30 p.m. Mayor Mayans announced that no action was taken.

Motion--carried Mayans moved at 12:30 p.m. to close the Executive Session. Motion carried 7 to 0.

Motion--carried Mayans moved at 12:31 p.m. to close the Regular Meeting. Motion carried 7 to 0.

## ADJOURNMENT

The City Council meeting adjourned at 12:31 p.m.

Respectfully submitted,

Karen Sublett CMC  
City Clerk

\*\*\*Workshop followed\*\*\*